Senate File 19 - Introduced

SENATE FILE 19 BY BOLKCOM

A BILL FOR

- 1 An Act prohibiting the manufacture and sale of food packaging
- 2 containing perfluoroalkyl and polyfluoroalkyl substances,
- 3 making penalties applicable, and including effective date
- 4 provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. <u>NEW SECTION</u>. **455F.12** Food packaging 2 perfluoroalkyl or polyfluoroalkyl substances.
- 3 l. As used in this section, unless the context otherwise 4 requires:
- 5 a. "Food packaging" means a package, including a unit
- 6 package, intermediate package, or a shipping container,
- 7 or packaging component, including any interior or exterior
- 8 blocking, bracing, cushioning, weatherproofing, exterior
- 9 strapping, coatings, closures, inks, or labels, that is
- 10 intended for the marketing, protection, or handling of a
- ll product intended for food contact or used to store food for
- 12 sale.
- b. "Perfluoroalkyl substance" or "polyfluoroalkyl substance"
- 14 means a class of fluorinated organic chemicals containing at
- 15 least one fully fluorinated carbon atom.
- 16 2. Except as otherwise provided, a person shall not
- 17 knowingly manufacture, sell, offer for sale, distribute for
- 18 sale, or distribute for use in this state food packaging to
- 19 which a perfluoroalkyl substance or a polyfluoroalkyl substance
- 20 has been intentionally added in any amount.
- 21 3. Subsection 2 does not apply to new food packaging that
- 22 is sold, offered for sale, or distributed for promotional
- 23 purposes in this state by a retailer or wholesaler on or after
- 24 January 1, 2023, that was imported into this state or otherwise
- 25 purchased or acquired by the retailer or wholesaler for sale or
- 26 distribution in this state prior to January 1, 2023.
- 27 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
- 28 2023.
- 29 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 32 This bill prohibits the sale of food packaging that contains
- 33 perfluoroalkyl or polyfluoroalkyl substances in Iowa. The bill
- 34 makes an exception for new food packaging that is otherwise
- 35 subject to the prohibition but was imported into the state or

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- 1 otherwise purchased or acquired by a retailer or wholesaler
- 2 for sale or distribution in the state prior to January 1,
- 3 2023. A violation of the provisions in the bill is a simple
- 4 misdemeanor. A simple misdemeanor is punishable by confinement
- 5 for no more than 30 days and a fine of at least \$105 but not
- 6 more than \$855.
- 7 The bill takes effect January 1, 2023.